

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the present application are respectfully requested in view of the amendments and remarks presented herewith. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 26-39, 43, 45-48, and 50-56 are currently pending in this application. Claim 42 is hereby cancelled without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents. Claims 26, 31, 33, 35, 43, and 45 are hereby amended in this response. Support for the amendments can be found throughout the application as originally filed, e.g. page 13, line 13 - page 14, line 7, and Fig. 4 of the application as originally filed. No new matter has been introduced.

### **II. RECORDATION OF PERSONAL INTERVIEW**

The Examiner is initially thanked for granting Applicant's representatives a personal interview on August 10, 2010. Participants in the interview included Examiner Preeti Kumar and Applicant's representatives Brian McGuire and Vivek P. Shankam. Applicant's representatives discussed possible amendments to the claims to recite a structural difference between the textile fabric of the invention and the prior art. Specifically, Applicant's representatives proposed amending the claims to recite that the CD elements are deposited in an at least partially melted form onto said system of MD yarns and CD elements are cured to partially encapsulate the MD yarns. The limitation to partially encapsulate the MD yarns was not presented to the Board as a structural limitation of the textile, and the Examiner indicated that such an amendment might overcome the art of record.

### III. REJECTIONS UNDER 35 U.S.C. §§ 102(b) & 103(a)

Claims 26-35, 38-42, and 44-56 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,360,656 to Rexfelt et al. (hereinafter merely “Rexfelt”).

Amended claim 26 recites, *inter alia*:

“An industrial textile structure ...  
wherein said CD elements are formed while being deposited in an at least partially melted form onto said system of MD yarns, and wherein said CD elements are cured to at least partially encapsulate said MD yarns.” (Emphasis added)

Applicant respectfully submits that Rexfelt does not teach or suggest the structure as claimed in claim 26. More specifically, Rexfelt does not teach or suggest an industrial textile structure wherein the CD elements are formed while being deposited in an at least partially melted form onto the system of MD yarns, and wherein the CD elements are cured to at least partially encapsulate the MD yarns, as recited in claim 26.

For at least the foregoing reasons, Applicant respectfully submits that instant claim 26 is patentable over Rexfelt.

Additionally, claims 27-39, 43, 45-48, and 50-56 that directly or indirectly depend from claim 1 are patentable. Indeed, Rexfelt does not teach or suggest the particular combinations of claims 27-39, 43, 45-48, and 50-56 with claim 26.

Claims 26-39, 42-43, 45-48, 50-56 were also rejected under 35 U.S.C. §102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over now U.S. Patent 6,491,794 to Davenport (hereinafter merely “Davenport”).

Applicant respectfully submits that Davenport does not teach or suggest the structure as claimed in claim 26. More specifically, Davenport does not teach or suggest an industrial textile structure wherein the CD elements are formed while being deposited in an at least partially melted form onto the system of MD yarns, and wherein the CD elements are cured to at least partially encapsulate the MD yarns, as recited in claim 26.

For at least the foregoing reasons, Applicant respectfully submits that instant claim 26 is patentable over Davenport.

Additionally, claims 27-39, 43, 45-48, and 50-56 that directly or indirectly depend from claim 1 are patentable. Indeed, Davenport does not teach or suggest the particular combinations of claims 27-39, 43, 45-48, and 50-56 with claim 26.

### CONCLUSION

By this Amendment, this application is believed to be in condition for allowance. Favorable reconsideration of the application, withdrawal of the rejections, and prompt issuance of the Notice of Allowance are, therefore, all earnestly solicited.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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